

Application/Control Number: 10/069,883

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Art Unit: 1648

### RESPONSE TO THE AMENDMENT

The amendment filed on Nov. 09, 2007 has been acknowledged. Claims 56-60, 69, 77-78, 83, 87 have been amended. Claims 1-55, 63, 68, have been canceled. New claim 90 has been added. Claims 56-62, 64-67, 69-90 are pending.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William P. Berrige on Jan. 17, 2008.

The application has been amended as follows:

Claim 83 (current amended) In line 1 after "further comprising" please insert --- testing effectiveness of or selecting medicinal substances, drugs or gene/prodrug systems by said method by: ---

87 (current amended) In line 2 after "polypeptide is" delete "selected from the group consisting of a polypeptide comprising the cyt region of HERV-W Env and"

SR 2/13/08 90 (current amended) In line 3 please delete "select from the group consisting of a <sup>ed</sup> sequence which consists of a sequence" and insert ---, --- in line 5 after "SEQ ID NO: 1," please delete " and a sequence which has a length of at least five amino acids and has complete identity wit" a corresponding length fragment of the cyt region of human endogenous retrovirus HERV-W envelope protein,"

Please cancel claims 57-62, 69-70 and 77-82.

Claims 56, 64-67, 71-76, 83-90 are allowed.

2. The following is an examiner's statement of reasons for allowance: While a nucleic sequence encoding a polypeptide comprising the SEQ ID NO: 1 has been identified as a human endogenous retrovirus related 7q protein in US patent No. 6,919,438 or WO 99/67395A1, the biological function of the nucleic acid sequence consisting of SEQ ID NO: 1 is not taught or